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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant: Jude S. Sauer

Serial No.: 10/772,185

Confirmation No: 4686

Filed: 02/04/2004

For: INSTRUMENT FOR GUIDING THE SURGICAL CUTTING OF
TISSUE AND METHOD OF USE

Examiner: Victor X. Nguyen

Art Unit: 3734

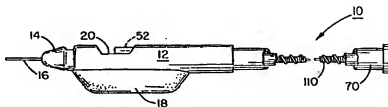
Atty. Docket: LS-006CV

RESPONSE TO OFFICE ACTION DATED 02/04/08

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Claims 1-4, 6, 10, 15-19, and 25-26 were rejected as being anticipated by Stevens, U.S. Patent No. 5,078,722. This rejection is respectfully traversed. Claim 1 describes a guide tube that extends through an opening at the distal end of the instrument to define a path for an extendible and retractable blade. Partial copies of FIGS. 1 and 2 of Stevens are shown below to illustrate the distal portion of Steven's catheter instrument.



Part of FIG. 1 of Stevens

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I certify that this document is being deposited on May 5, 2008 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Erin Moynihan

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